

*40 years*  
1968-2008



Docket No.: 292919US0PCT



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/586,865

Applicants: Mario PINZA, et al.

Filing Date: December 27, 2006

For: IBOPAMINE MALEATE, METHOD FOR PREPARING IT AND  
PHARMACEUTICAL COMPOSITIONS CONTAINING IT

Group Art Unit: 1618

Examiner:

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR CORRECTED PUBLICATION UNDER 37 CFR 1.221(B) W/ATTACHMENTS**

Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), in the amount of **\$0.00** to cover any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. **15-0030**. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon

David P. Stitzel

Registration No. 44,360

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

(OSMMN 10/08)



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Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

A handwritten signature in black ink, appearing to read 'David P. Stitzel', written over a horizontal line.

David P. Stitzel

Registration No. 44,360

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

(OSMMN 10/08)



DOCKET NO: 292919US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
MARIO PINZA, ET AL. : ATTN: PRE-GRANT PUBLICATION  
SERIAL NO: 10/586,865 :  
FILED: DECEMBER 27, 2006 : PUBLICATION NO: U.S. 2008/0242724  
FOR: IBOPAMINE MALEATE, METHOD :  
FOR PREPARING IT AND  
PHARMACEUTICAL COMPOSITIONS  
CONTAINING IT

REQUEST FOR CORRECTED PUBLICATION UNDER 37 C.F.R. § 1.221(b)

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Pursuant to 37 C.F.R. § 1.221(b), Applicants undersigned Representative hereby respectfully requests that the above-identified patent application be published with the *correct* Italian priority patent application number of "MI2004A000146." Applicants undersigned Representative also respectfully requests that the above-identified patent application be published with the *correct* assignee address of "AZIENDE CHIM. RIUN. ANG. FRANC. A.C.R.A.F. S.P.A., Viale Amelia, 70, Roma Italy I-00181."

This request for corrected publication is being submitted within the two-month non-extendible time period from the publication date of October 2, 2008 to correct material and non-material mistakes made by the USPTO in regard to publishing the above-identified patent application with the *incorrect* Italian priority patent application number of "MI2004A000146" and the *incorrect* assignee address of "AZIENDE CHIM. RIUN. ANG. FRANC. A.C.R.A.F. S.P.A., Viale Amelia, 70, Italy," respectively, which are readily apparent from the enclosed Application Data Sheet (ADS) filed on July 21, 2006, as evidenced by the image file wrapper appended herewith.

MPEP § 1130 provides the following definition of what constitutes a “material mistake”  
under 37 C.F.R. § 1.221(b):

“A material mistake means *a mistake that affects the public’s ability to appreciate the technical disclosure of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent*” (emphasis added).

Applicants undersigned Representative respectfully submits that the public’s ability to ascertain the subject matter claimed and disclosed in the Italian priority patent application “MI2004A000146” is compromised by publishing the above-identified patent application with the incorrect Italian priority patent application number of “M12004A000146” thereby impairing the public’s ability to determine the scope of the provisional rights that the Applicants may seek to enforce upon issuance of a patent. This impairment is exacerbated when performing patent application number queries within electronic databases which utilize alphanumeric and case sensitive search engines.

In conclusion, Applicants undersigned Representative hereby respectfully requests that the above-identified patent application be published with the *correct* Italian priority application number of “MI2004A000146” and the *correct* assignee address of “AZIENDE CHIM. RIUN. ANG. FRANCO. A.C.R.A.F. S.P.A., Viale Amelia, 70, Roma Italy I-00181.”

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.  
Norman F. Oblon



David P. Stitzel  
Attorney of Record  
Registration No. 44,360

Customer Number  
**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)



US 20080242724A1

(19) **United States**

(12) **Patent Application Publication**  
**Pinza et al.**

(10) **Pub. No.: US 2008/0242724 A1**



(43) **Pub. Date: Oct. 2, 2008**

(54) **IBOPAMINE MALEATE, METHOD FOR  
PREPARING IT AND PHARMACEUTICAL  
COMPOSITIONS CONTAINING IT**

(75) **Inventors:** **Mario Pinza**, Corsico (Milano)  
(IT); **Caterina Maugeri**, Roma  
(IT); **Nicola Cazzolla**, Albano  
Laziale (Roma) (IT)

**Correspondence Address:**

**OBLON, SPIVAK, MCCLELLAND MAIER &  
NEUSTADT, P.C.**  
**1940 DUKE STREET**  
**ALEXANDRIA, VA 22314 (US)**

 (73) **Assignee:** **AZIENDE CHIM. RIUN. ANG.**  
**FRANC. A.C.R.A.F. S.P.A.**, Viale  
Amelia, 70 (IT) 

(21) **Appl. No.: 10/586,865**

(22) **PCT Filed: Jan. 13, 2005**

(86) **PCT No.: PCT/EP2005/000445**

§ 371 (c)(1),

(2), (4) **Date: Dec. 27, 2006**

(30) **Foreign Application Priority Data**

Jan. 30, 2004 (IT) ..... M12004A000146 

**Publication Classification**

(51) **Int. Cl.**  
**A61K 31/225** (2006.01)  
**C07C 69/75** (2006.01)  
**A61P 27/02** (2006.01)

(52) **U.S. Cl. .... 514/548; 560/127**

(57) **ABSTRACT**

Ibopamine malcate salt (1:1), method for preparing it and  
pharmaceutical composition containing it.

10/586865

AP20 Rec'd PCT/PTO 21 JUL 2006

APPLICATION DATA SHEET

APPLICATION INFORMATION

Application Type::	REGULAR
Subject Matter::	UTILITY
CD-ROM or CD-R?::	NONE
Title::	IBOPAMINE MALEATE, METHOD FOR PREPARING IT AND PHARMACEUTICAL COMPOSITIONS CONTAINING IT
Attorney Docket Number::	292919US0PCT

INVENTOR INFORMATION

Applicant Authority Type::	INVENTOR
Primary Citizenship Country::	Italy
Status::	FULL CAPACITY
Given Name::	Mario
Family Name::	PINZA
City of Residence::	Corsico
Country of Residence::	Italy
Street of Mailing Address::	Via per Cesano Boscone, 24
City of Mailing Address::	Corsico
Country of Mailing Address::	Italy
Postal or Zip Code of Mailing Address::	I-20094

Applicant Authority Type::	INVENTOR
Primary Citizenship Country::	Italy
Status::	FULL CAPACITY
Given Name::	Caterina
Family Name::	MAUGERI
City of Residence::	Roma
Country of Residence::	Italy
Street of Mailing Address::	Via Valseriana 4
City of Mailing Address::	Roma
Country of Mailing Address::	Italy
Postal or Zip Code of Mailing Address::	I-00141

Applicant Authority Type:: INVENTOR  
Primary Citizenship Country:: Italy  
Status:: FULL CAPACITY  
Given Name:: Nicola  
Family Name:: CAZZOLLA  
City of Residence:: Albano Laziale  
Country of Residence:: Italy  
Street of Mailing Address:: Via Abetonia, 20/L  
City of Mailing Address:: Albano Laziale  
Country of Mailing Address:: Italy  
Postal or Zip Code of Mailing Address:: I-00041

#### CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 22850

#### REPRESENTATIVE INFORMATION

Representative Customer Number:: 22850

#### DOMESTIC PRIORITY INFORMATION

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	National Stage of	PCT/EP05/00445	01/13/05

#### FOREIGN PRIORITY INFORMATION

\*Z →

Application Number:	Country::	Filing Date::	Priority Claimed::
MI2004A000146	Italy	01/30/04	YES

#### ASSIGNMENT INFORMATION

Assignee Name:: AZIENDE CHIM. RIUN. ANG. FRANC.  
A.C.R.A.F. S.P.A.  
Street of Mailing Address:: Viale Amelia, 70  
City of Mailing Address:: Roma  
Country of Mailing Address:: Italy  
Postal or Zip Code of Mailing Address:: I-00181

← Z \*



10/586,865	Ibopamine Maleate, Method for Preparing it and Pharmaceutical Compositions Containing It	10-30-2008::14:24:26
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### **Bibliographic Data**

Mail Room Date	Document Code	Document Description	Document Category	Page Count
10-03-2008	OA.EMAIL	Email Notification	PROSECUTION	1
10-02-2008	NTC.PUB	Notice of Publication	PROSECUTION	1
06-23-2008	M903	Notice of DO/EO Acceptance Mailed	PROSECUTION	2
06-23-2008	APP.FILE.REC	Filing Receipt	PROSECUTION	3
06-23-2008	OA.EMAIL	Email Notification	PROSECUTION	1
06-19-2008	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1
06-19-2008	WCLM	Claims Worksheet (PTO-2022)	PROSECUTION	1
06-19-2008	IMIS	Miscellaneous Internal Document	PROSECUTION	1
06-10-2008	FRPR	Certified Copy of Foreign Priority Application	PROSECUTION	12
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06-10-2008	CLM	Claims	PROSECUTION	1
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07-21-2006	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
07-21-2006	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
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07-21-2006	371P	Documents submitted with 371 Applications	PROSECUTION	1
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07-21-2006	WFEE	Fee Worksheet (PTO-06)	PROSECUTION	1

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